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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

CALIFORNIA BUSINESS SERVICES
 CENTER, LLC dba JUSTICE PCS,

Plaintiff,

vs.

CITY OF SANTA ROSA, et al.

Defendants.

Case Nos.: CV 13-3820 SI; CV 13-3997 SI;
 CV 13-4423 SI

**STIPULATION AND ~~PROPOSED~~
 ORDER TO FURTHER CONTINUE
 CASE MANAGEMENT CONFERENCE**

AND RELATED ACTIONS

1 Plaintiffs California Business Services Center, LLC d.b.a. Justice PCS; Liberty LCS,
 2 LLC; and Urban PCS, LLC (together "Plaintiffs"), and Defendants City of Santa Rosa, City of
 3 Gilroy, Scott Barron, and City of Watsonville (together "Defendants") (collectively "Parties")
 4 submit this stipulation to further continue the Case Management Conference originally set for
 5 July 11, 2014, and presently set for August 22, 2014, at 2:30 p.m., in Department 10 of this
 6 Court. The Parties request that the Conference be rescheduled for October 15, 2014, or any
 7 subsequent date that is convenient to the Court.

8 A further continuance is necessary as two of the three triggering events described in the
 9 Parties' previous stipulation of June 24, 2014, have been continued or remain unresolved.
 10 Specifically, the trial in the matter of *People v. Byrne, et al.*, Superior Court of California,
 11 County of Santa Clara Case No. F1449688, has been continued, and A.B. 1439 remains pending
 12 before the California Legislature. A further continuance of the Conference would conserve
 13 judicial resources and prevent an unnecessary expenditure of time on a matter that may soon be
 14 dismissed.

15 Plaintiff stipulates that it will dismiss these related actions and all causes of action on
 16 October 1, 2014, without prejudice unless both of the following events occur:

- 17 a. A jury reaches a verdict of not guilty in the matter of *People v. Byrne, et al.*,
 18 Superior Court of California, County of Santa Clara Case No. F1449688; and
- 19 b. The California Legislature or the Governor declines to pass A.B. 1439 (Unfair
 20 business practices: contests and sweepstakes).

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THEREFORE, the Parties hereby stipulate to continue the Case Management Conference presently set for August 22, 2014, at 2:30 p.m., in Department 10 of this Court, to October 15, 2014, or any subsequent date that is convenient to the Court.

IT IS SO STIPULATED.

Dated: August 1, 2014

MOSCONE EMBLIDGE SATER & OTIS
LLP

/s/
Matthew K. Yan
Attorney for Plaintiffs CALIFORNIA
BUSINESS SERVICES CENTER, LLC dba
JUSTICE PCS; and LIBERTY PCS, LLC

Dated: July 31, 2014

SELMAN BREITMAN LLP

/s/ signature authorized
Danielle K. Lewis
Attorney for Defendants
CITY OF GILROY and SCOTT BARRON

Dated: July 31, 2014

OFFICE OF THE CITY ATTORNEY

/s/ signature authorized
John J. Fritsch
Assistant City Attorney
Attorney for Defendant
CITY OF SANTA ROSA

Dated: July 31, 2014

GRUNSKY, EBEL, FARRAR & HOWELL


/s/ signature authorized
Matthew Aulenta
Attorney for Defendant
CITY OF WATSONVILLE

ORDER

The Parties having stipulated and agreed as described above, and the Court having found good cause therefor,

1 IT IS HEREBY ORDERED that the Case Management Conference presently set for
2 August 22, 2014, at 2:30 p.m., in Department 10 of this Court, be continued to
3 10/17/14 at 3:00 p.m. in Department 10 of this Court.

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5 Dated: 8/4/14

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8 Honorable Susan Illston
9 United States District Judge
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11 CALIFORNIA BUSINESS SERVICES
12 CENTER, LLC d.b.a. JUSTICE PCS,
13 LIBERTY PCS, LLC, and URBAN PCS, LLC

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CALIFORNIA BUSINESS SERVICES
CENTER, LLC d.b.a. JUSTICE PCS,

Plaintiff,

vs.

CITY OF SANTA ROSA, et al.,

Defendants.

AND RELATED ACTIONS.

Case No. CV 13-3820 SI; CV 13-3997 SI; CV
13-4423 SI

**CERTIFICATE OF SERVICE (OF
STIPULATION AND [PROPOSED]
ORDER TO FURTHER CONTINUE
CASE MANAGEMENT CONFERENCE**

CERTIFICATE OF SERVICE

Case No. CV 13-3820 SI; CV 13-3997 SI; CV 13-4423 SI

I, Anna L. Hill, certify as follows:

I am a citizen of the United States, over the age of eighteen years and not a party to the within entitled action. On August 1, 2014, I served the attached:

• **STIPULATION AND [PROPOSED] ORDER TO FURTHER CONTINUE CASE MANAGEMENT CONFERENCE**

on the interested party(ies) named below:

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Attorneys for Defendant CITY OF
WATSONVILLE

I served the attached document(s) in the manner indicated below:

☐ **BY MAIL:** I caused true and correct copy(ies) of the above documents to be placed and sealed in envelope(s) addressed to the addressee(s) named above and, following ordinary business practices, placed said envelope(s) at the Law Offices of Moscone Emblidge Sater & Otis LLP, 220 Montgomery, Ste. 2100, San Francisco, California, 94104, for collection and mailing with the United States Postal Service and there is delivery by the United States Post Office at said address(es). In the ordinary course of business, correspondence placed for collection on a particular day is deposited with the United States Postal Service that same day.

☐ **BY PERSONAL SERVICE:** I caused true and correct copies of the above documents to be placed and sealed in envelope(s) addressed to the addressee(s) and I caused such envelope(s) to be delivered by hand on the office(s) of the addressee(s).

☐ **BY FACSIMILE:** I caused a copy(ies) of such document(s) to be transmitted via facsimile machine. The fax number of the machine from which the document was transmitted was (415) 362-2006. The fax number(s) of the machine(s) to which the

document(s) were transmitted are listed above. The fax transmission was reported as complete and without error.



BY FEDERAL EXPRESS OVERNIGHT: I caused true and correct copies of the above documents to be placed and sealed in envelope(s) addressed to the addressee(s) named above and, following ordinary business practices, placed said envelope(s) at the Law Offices of Moscone Emblidge Sater & Otis LLP, 220 Montgomery Street, Ste. 2100, San Francisco, California, 94104, for collection and mailing with Federal Express. I am informed that there is delivery service by Federal Express at the address(es) of the addressee(s) named above. In the ordinary course of business, correspondence placed for collection on a particular day is deposited with Federal Express that same day.



BY ELECTRONIC MAIL: I certify that I electronically filed the foregoing document with the United States District Court, Northern District of California by using the CM/ECF system. I certify that the above-listed parties or their counsel of record are registered as ECF Filers and that they will be served by the CM/ECF system.



BY CERTIFIED MAIL: I caused true and correct copy(ies) of the above documents to be placed and sealed in envelope(s), certified mail, return receipt requested, addressed to the addressee(s) named above and, following ordinary business practices, placed said envelope(s) at the Law Offices of Moscone Emblidge Sater & Otis LLP, 220 Montgomery, Ste. 2100, San Francisco, California, 94104, for collection and mailing with the United States Postal Service and there is delivery by the United States Post Office at said address(es). In the ordinary course of business, correspondence placed for collection on a particular day is deposited with the United States Postal Service that same day.

I certify/declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed August 1, 2014, at San Francisco, California.

/s/ Anna L. Hill

Anna L. Hill